IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3737 OF 2006
IN
INCOME TAX APPEAL LODGING NO.2151 OF 2006

The Commissioner of Income Tax-18 ..Appellant.
Vs.
M/s. Ram Ratna International. ..Respondent.

Mr.R.G.Bhat for the Appellant.

Mr.A.R.Singh for the Respondent.

CORAM : F.I. REBELLO & R.S. MOHITE, JJ.
DATED : 12TH DECEMBER,2007.

PC :

1. Heard both parties.

2. This is a Notice of motion for condoning 553 days delay in filing the main tax appeal. On perusal of the affidavit in support of the Notice of motion, it is seen that the draft of appeal memo was received from the Advocate on 8.8.2006 and the stamps were made available on 29.8.2006. Inspite of this, the appeal has been filed on 17.10.2006 by causing delay of more than one and half year. The due date for filing the appeal was 11.4.2005. The delay caused in filing the appeal is not satisfactorily explained. In our view, the cause shown is not sufficient case. Hence, Notice of motion is dismissed.

(R.S. MOHITE, J.) **(F.I.REBELLO, J.)**

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1. As the notice of motion for condonation of delay has been dismissed, appeal also stands dismissed. Refund of court fee as per rules. Certified copy expedited.

(R.S. MOHITE, J.) **(F.I.REBELLO, J.)**